

Memorandum

To: Planning and Zoning Commission
From: Martin Zimmermann, Planning Manager
Date: November 6, 2014
Re: West 28th Street right-of-way abandonments for a Capital Improvements Project

BACKGROUND:

The West 28th Street Reconstruction Project is a currently funded Capital Improvement Project that the City of Bryan has been working on since early 2010. The project includes converting the narrow open ditch roadway to a 3 lane roadway with center turn lane and sidewalks on both sides. Drainage will be improved with the installation of storm sewers and a regional storm water detention pond has already been constructed that the improved roadway will drain into.

Goodwin Lasiter was the design firm selected for this project in early 2010 and they prepared a schematic layout from which right-of-way and easement documents were originally prepared. The City hired Threshold Land Services to acquire the needed parcels or easements for the project and their outreach and negotiation with property owners began later that year. All of the easements have been signed by the landowners and the City has all of the right-of-way and easements needed to build the project after this right-of-way abandonment. The abandonment of the right-of-way will be the final step to fulfilling the terms of the Memoranda of Agreement with the landowners and bring closure to the land acquisition phase of the project. Each land owner will receive a quitclaim deed for each portion of the right-of-way if abandoned by Council action and the easements that have been signed by the landowners will be recorded in the County deed records.

The design has been completed and the project is currently advertised for bids with an opportunity for City Council to award a construction contract at the December 2, 2014 City Council meeting. Construction on the project could begin as early as December 2014. The project has two phases; the first phase involves preparing the newly acquired easement area by relocating any conflicts and fencing so that utility relocations can be accomplished by BTU, Verizon, Suddenlink and Atmos Gas. Once that phase is complete, the contractor will move into the second phase which will involve water, sewer and storm sewer construction and finally pavement and sidewalk construction.

ANALYSIS AND RECOMMENDATION:

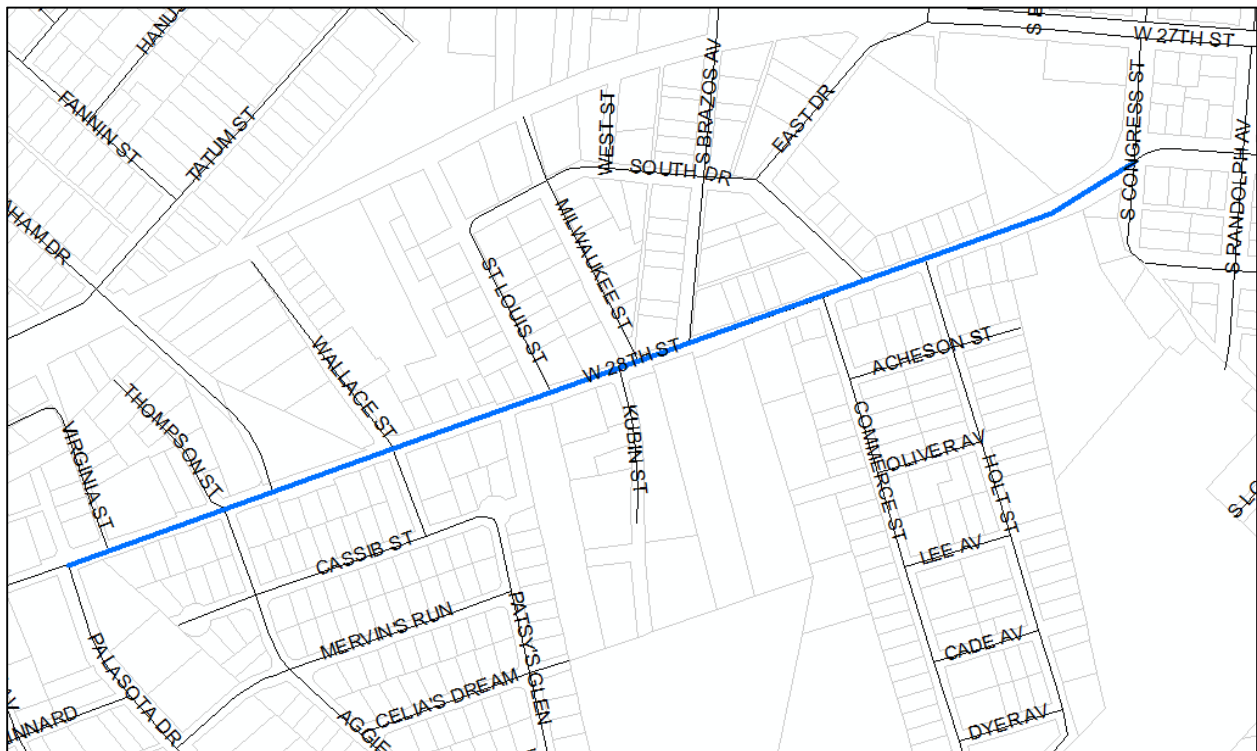
Acting on behalf of the general public, only Bryan's City Council is authorized to officially abandon all or portions of rights of way dedicated for public use. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The rights-of-way proposed to be abandoned are excess right-of-way portions that are not needed to convert this portion of West 28th Street, classified as major arterial street

on Bryan's Thoroughfare Plan, from a narrow open ditch roadway to a 3 lane roadway with center turn lane and sidewalks on both sides. Abandoning the subject rights-of-way, therefore, will not interfere with the smooth circulation of vehicular and pedestrian traffic.

Staff recommends **approving** this proposal to abandon various segments of existing West 28th Street right-of-way between Palasota Drive and Congress Street. These abandonments will complete the agreed upon actions in the Memoranda of Agreement and will allow a major Capital Improvement Project which aims to improve pedestrian and vehicular traffic movements as well as stormwater drainage to proceed into construction.

LOCATION OF PROPOSED CAPITAL IMPROVEMENT PROJECT:



Attachments:

Three (3) maps illustrating the proposed right-of-way abandonments